

AMENDED IN ASSEMBLY APRIL 25, 2005

AMENDED IN ASSEMBLY APRIL 5, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 1637**

**Introduced by Assembly Member Mountjoy**

February 22, 2005

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An act to amend Sections 27000 and 42001 of, and to add Section 42001.20 to, the Vehicle Code, relating to vehicles.

### **LEGISLATIVE COUNSEL'S DIGEST**

AB 1637, as amended, Mountjoy. Vehicles: refuse or garbage truck: horn: camera.

(1) Existing law requires refuse or garbage truck purchased after September 1, 1983, to be equipped with an automatic backup audible alarm that sounds on backing more than 36 inches and that is capable of emitting a specified sound, or be equipped with an automatic backup device, as specified, that is in good working order. It is an infraction to violate this requirement.

This bill would apply the above requirements to a refuse or garbage truck, regardless of when it was purchased, and would delete the 36-inch requirement.

The bill would also require a refuse or garbage truck that is purchased after January 1, 2010, to be equipped with a functioning camera providing a video display for the driver that enhances or supplements the driver's view behind the truck for purposes of safely maneuvering the truck. The bill would except from these requirements a vehicle, known as a rolloff vehicle, that is used for the express purpose of transporting waste containers such as open boxes or compactors.

The bill would provide that a violation of these provisions is an infraction punishable by a fine of \$150 *to a fine of not to exceed \$250, depending upon the number of prior convictions.*

Because this bill would expand the scope of an existing crime, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known as Kaycie's law.

2 SEC. 2. Section 27000 of the Vehicle Code is amended to  
3 read:

4 27000. (a) A motor vehicle, when operated upon a highway,  
5 shall be equipped with a horn in good working order and capable  
6 of emitting sound audible under normal conditions from a  
7 distance of not less than 200 feet, but no horn shall emit an  
8 unreasonably loud or harsh sound. An authorized emergency  
9 vehicle may be equipped with, and use in conjunction with the  
10 siren on that vehicle, an air horn that emits sounds that do not  
11 comply with the requirements of this section.

12 (b) A refuse or garbage truck shall be equipped with an  
13 automatic backup audible alarm that sounds on backing and is  
14 capable of emitting sound audible under normal conditions from  
15 a distance of not less than 100 feet or shall be equipped with an  
16 automatic backup device that is in good working order, located at  
17 the rear of the vehicle and that immediately applies the service  
18 brake of the vehicle on contact by the vehicle with any  
19 obstruction to the rear. The backup device or alarm shall also be  
20 capable of operating automatically when the vehicle is in neutral  
21 or a forward gear but rolls backward.

22 (c) A refuse or garbage truck, except a vehicle, known as a  
23 rolloff vehicle, that is used for the express purpose of  
24 transporting waste containers such as open boxes or compactors,

1 purchased after January 1, 2010, shall also be equipped with a  
2 functioning camera providing a video display for the driver that  
3 enhances or supplements the drivers' view behind the truck for  
4 the purpose of safely maneuvering the truck.

5 SEC. 3. Section 42001 of the Vehicle Code is amended to  
6 read:

7 42001. (a) Except as provided in subdivision (e) of Section  
8 21464, or Section 42000.5, 42001.1, 42001.2, 42001.3, 42001.5,  
9 42001.7, 42001.8, 42001.9, 42001.11, 42001.12, 42001.13,  
10 42001.14, 42001.15, 42001.16, or subdivision (a) of Section  
11 42001.17, Section 42001.18, or Section 42001.20, or subdivision  
12 (b), (c), or (d) of this section, or Article 2 (commencing with  
13 Section 42030), every person convicted of an infraction for a  
14 violation of this code or of any local ordinance adopted pursuant  
15 to this code shall be punished as follows:

16 (1) By a fine not exceeding one hundred dollars (\$100).

17 (2) For a second infraction occurring within one year of a prior  
18 infraction which resulted in a conviction, a fine not exceeding  
19 two hundred dollars (\$200).

20 (3) For a third or any subsequent infraction occurring within  
21 one year of two or more prior infractions which resulted in  
22 convictions, a fine not exceeding two hundred fifty dollars  
23 (\$250).

24 (b) Every person convicted of a misdemeanor violation of  
25 Section 2800, 2801, or 2803, insofar as they affect failure to stop  
26 and submit to inspection of equipment or for an unsafe condition  
27 endangering any person, shall be punished as follows:

28 (1) By a fine not exceeding fifty dollars (\$50) or imprisonment  
29 in the county jail not exceeding five days.

30 (2) For a second conviction within a period of one year, a fine  
31 not exceeding one hundred dollars (\$100) or imprisonment in the  
32 county jail not exceeding 10 days, or both that fine and  
33 imprisonment.

34 (3) For a third or any subsequent conviction within a period of  
35 one year, a fine not exceeding five hundred dollars (\$500) or  
36 imprisonment in the county jail not exceeding six months, or  
37 both that fine and imprisonment.

38 (c) A pedestrian convicted of an infraction for a violation of  
39 this code or any local ordinance adopted pursuant to this code  
40 shall be punished by a fine not exceeding fifty dollars (\$50).

(d) A person convicted of a violation of subdivision (a) or (b) of Section 27150.3 shall be punished by a fine of two hundred fifty dollars (\$250), and a person convicted of a violation of subdivision (c) of Section 27150.3 shall be punished by a fine of one thousand dollars (\$1,000).

(e) Notwithstanding any other provision of law, any local public entity that employs peace officers, as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, the California State University, and the University of California may, by ordinance or resolution, establish a schedule of fines applicable to infractions committed by bicyclists within its jurisdiction. Any fine, including all penalty assessments and court costs, established pursuant to this subdivision shall not exceed the maximum fine, including penalty assessment and court costs, otherwise authorized by this code for that violation. If a bicycle fine schedule is adopted, it shall be used by the courts having jurisdiction over the area within which the ordinance or resolution is applicable instead of the fines, including penalty assessments and court costs, otherwise applicable under this code.

SEC. 4. Section 42001.20 is added to the Vehicle Code, to read:

42001.20. Notwithstanding any other provision of law, a person who violates subdivision (b) or (c) of Section 27000 is ~~punishable by a fine of one hundred fifty dollars (\$150).~~ *is punishable as follows:*

*(a) By a fine of one hundred fifty dollars (\$150).*

*(b) For a second infraction occurring within one year of a prior infraction that resulted in a conviction, a fine not exceeding two hundred dollars (\$200).*

*(c) For a third or any subsequent infraction occurring within one year of two or more prior infractions that resulted in convictions, a fine, not exceeding two hundred fifty dollars (\$250).*

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section

1 17556 of the Government Code, or changes the definition of a  
2 crime within the meaning of Section 6 of Article XIII B of the  
3 California Constitution.

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